

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 736 – SB 1954

February 26, 2017

SUMMARY OF BILL: Authorizes a judge to consider a criminal defendant's participation in recovery court as a hardship sufficient to order the stay of a criminal defendant's driver license revocation for failing to pay fines, court costs, and litigation taxes.

ESTIMATED FISCAL IMPACT:

Decrease State Revenue – Exceeds \$35,800/Department of Safety

Decrease State Expenditures – Exceeds \$35,800/Department of Safety

Assumptions:

- Tenn. Code Ann. § 40-24-105 currently authorizes a judge to consider employment and serious illness when considering to order the stay of a criminal defendant's driver license revocation.
- Allowing a judge to additionally consider a criminal defendant's participation in recovery court as a hardship sufficient to order the stay of a criminal defendant's driver license revocation will reduce the amount of license revocations.
- Based on information provided by the Department of Safety (DOS), approximately 55,000 people have their license revoked for failure to pay fines, costs, and litigation taxes.
- The amount of individuals whom are granted court orders for stays of license revocations under the provisions of the bill is estimated to exceed one percent, or a minimum of 550 (55,000 x 1.0%).
- Based on information provided by DOS, the fee to reinstate a suspended driver license is \$65.
- The provisions of the bill are expected to decrease state reinstatement fee revenue by a minimum of \$35,750 (550 drivers x \$65 fee).
- It is assumed the Driver Services Division will reduce expenditures due to reduced revenue and reduced processing volume sufficient to offset the loss of recurring reinstatement fee revenue. Therefore, it is reasonably assumed that the Driver Services Division will decrease recurring expenditures by a like amount estimated as a minimum of \$35,750.
- The provisions of the bill are not expected to impact any outstanding fees or collection rates for which the driver had their licenses suspended.

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- The County Officials Association of Tennessee (COAT) and the Municipal Technical Advisory Service (MTAS) both confirm the bill will not fiscally impact local revenues and expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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